

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Blair, <i>et al.</i>) Confirmation No: 3073
) Group Art Unit: 2863
Serial No.: 10/683,913)
) Examiner: Bhat, Aditya S.
Filed: October 10, 2003)
) Atty. Docket No.: 200300432-1
For: System and Method for Monitoring)
Equipment)

APPEAL BRIEF UNDER 37 C.F.R. § 41.37

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Appeal Brief under 37 C.F.R. § 41.37 is submitted in support of the Notice of Appeal filed September 25, 2006, responding to the final Office Action mailed April 24, 2006.

It is not believed that extensions of time or fees are required to consider this Appeal Brief. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. §1.136(a), and any fees required therefor are hereby authorized to be charged to Deposit Account No. 08-2025.

I. Real Party in Interest

The real party in interest is Hewlett-Packard Development Company, LP, a limited partnership established under the laws of the State of Texas and having a principal place of business at 20555 S.H. 249 Houston, TX 77070, U.S.A. (hereinafter "HPDC"). HPDC is a Texas limited partnership and is a wholly-owned affiliate of Hewlett-Packard Company, a Delaware Corporation, headquartered in Palo Alto, CA. The general or managing partner of HPDC is HPQ Holdings, LLC.

II. Related Appeals and Interferences

There are no known related appeals or interferences that will affect or be affected by a decision in this Appeal.

III. Status of Claims

Claims 1-7, 9-12, 14-28, 30-32, and 34-46 stand finally rejected. No claims have been allowed. The final rejections of claims 1-7, 9-12, 14-28, 30-32, and 34-46 are appealed.

IV. Status of Amendments

This application was originally filed on October 10, 2003, with forty-six (46) claims. In a Response filed August 3, 2005, Applicant amended claims 1, 14-17, 22-23, and 34-37 and canceled claims 8, 13, 29, and 33. In a Response filed February 2, 2006, Applicant presented remarks without any claim amendments. In a Response filed June 23, 2006, Applicant amended claim 30. The claims in

the attached Claims Appendix (see below) reflect the present state of Applicant's claims.

V. Summary of Claimed Subject Matter

The claimed inventions are summarized below with reference numerals and references to the written description ("specification") and drawings. The subject matter described in the following appears in the original disclosure at least where indicated, and may further appear in other places within the original disclosure.

Embodiments according to independent claim 1 describe an appliance (Fig. 1, 16, 18) for monitoring equipment (Fig. 1, 12, 14). The appliance (Fig. 1, 16, 18) comprises first means (Fig. 5, 106) for receiving data from the equipment and second means (Fig. 5, 118) for receiving a set of configuration data, wherein the second means (Fig. 5, 118) includes a communication module. The appliance (Fig. 1, 16, 18) further comprises third means (Fig. 5, 108) for processing the equipment data in accordance with a plurality of optional services, wherein the configuration data is adapted to enable or disable the optional services. The appliance (Fig. 1, 16, 18) is adapted to restart upon receiving a restart signal from the communication module. Applicant's specification, page 4, lines 6-15; pages 5-6, lines 20-26; and page 8, lines 25-28.

Embodiments according to independent claim 21 describe an appliance (Fig. 1, 16, 18) for monitoring equipment (Fig. 1, 12, 14). The appliance (Fig. 1, 16, 18) comprises a data port (Fig. 5, 106) for receiving data from the equipment (Fig. 1, 12, 14) and a communication module (Fig. 5, 118) for receiving one or more software components (Fig. 5, 112). Each software component (Fig. 5, 112) is for processing the equipment data in accordance with an optional service and for receiving a set of configuration data (Fig. 5, 116) adapted to enable or disable the software components. The appliance (Fig. 1, 16, 18) further comprises memory (Fig. 5, 110) for storing the software components (Fig. 5, 112) and a processor (Fig. 5, 108) for executing the software components (Fig. 5, 112) in accordance with the configuration data (Fig. 5, 116). Applicant's specification, page 4, lines 6-15 and pages 5-6, lines 20-26.

Embodiments according to independent claim 22 describe an appliance (Fig. 1, 16, 18) for monitoring one or more office equipment devices (Fig. 1, 12, 14). The appliance (Fig. 1, 16, 18) comprises a data port (Fig. 5, 106) for receiving data from an equipment device (Fig. 1, 12, 14) and software (Fig. 5, 112) adapted primarily for monitoring the equipment devices (Fig. 1, 12, 14). The software (Fig. 5, 112) includes one or more software components. Each software component is for processing equipment data in accordance with an optional service. The appliance (Fig. 1, 16, 18) further comprises a communication module (Fig. 5, 118) for receiving a set of configuration data (Fig. 5, 116) adapted to enable or disable the software components (Fig. 5, 112), wherein the software components (Fig. 5, 112) comprise at least software with instructions for monitoring a different appliance (Fig. 1, 16, 18). Such an appliance (Fig. 1, 16,

18) further comprises memory (Fig. 5, 110) for storing the software (Fig. 5, 112) and a processor (Fig. 5, 108) for executing the software (Fig. 5, 112) in accordance with the configuration data (Fig. 5, 116). Applicant's specification, page 4, lines 6-15 and pages 5-6, lines 20-26. Embodiments according to independent claim 23 describe a system for monitoring equipment (Fig. 1, 12, 14). The system comprises one or more monitoring appliances (Fig. 1, 16, 18) adapted to monitor the equipment (Fig. 1, 12, 14).

Each monitoring appliance includes first means (Fig. 5, 106) for receiving data from the equipment (Fig. 1, 12, 14); second means (Fig. 5, 118) for receiving a set of configuration data; and third means (Fig. 5, 102) for processing the equipment data in accordance with a plurality of optional services, wherein the configuration data is adapted to enable or disable the optional services.

The third means (Fig. 5, 102) includes software (Fig. 5, 112) for processing the equipment data. The software (Fig. 5, 112) includes one or more software components. Each software component is for performing an optional service, wherein the software (Fig. 5, 112) is adapted to restart the monitoring appliance (Fig. 1, 16, 18) after receiving and storing the configuration data (Fig. 5, 116). The third means (Fig. 5, 102) further includes memory (Fig. 5, 110) for storing the software (Fig. 5, 112) and a processor (Fig. 5, 108) for executing the software in accordance with the configuration data (Fig. 5, 116), which is adapted to enable or disable the software components.

Such a system further comprises a fourth means (Fig. 5, 118) for transmitting the configuration data to the monitoring appliances (Fig. 1, 16, 18).

Applicant's specification, page 4, lines 6-15; pages 5-6, lines 20-26; and page 8, lines 25-28.

Embodiments according to independent claim 37 describe a system for monitoring office equipment (Fig. 1, 12, 14). The system comprises one or more monitoring appliances (Fig. 1, 16, 18) adapted to monitor the office equipment (Fig. 1, 12, 14).

Each monitoring appliance (Fig. 1, 16, 18) includes a data port (Fig. 5, 106) for receiving data from the equipment (Fig. 1, 12, 14) and appliance software (Fig. 5, 112) adapted primarily for monitoring the equipment (Fig. 1, 12, 14). The software (Fig. 5, 112) includes one or more software components. Each software component (Fig. 5, 112) is for processing the equipment data in accordance with an optional service, wherein the optional service includes functionality for monitoring a different appliance (Fig. 1, 16, 18). The monitoring appliance (Fig. 1, 16, 18) further includes a first communication module (Fig. 5, 118) for receiving a set of configuration data adapted to enable or disable the software components (Fig. 5, 112); first memory (Fig. 5, 110) for storing the appliance software (Fig. 5, 112); and a first processor (Fig. 5, 108) for executing the software (Fig. 5, 112) in accordance with the configuration data (Fig. 5, 116).

The system further comprises a central server (Fig. 5, 104). The central server (Fig. 5, 104) includes server software (Fig. 5, 124) for controlling the communication of data to and from the monitoring appliances (Fig. 1, 16, 18); a first database (Fig. 5, 126) of configuration data for the monitoring appliances (Fig. 1, 16, 18); second memory (Fig. 5, 122) for storing the server software (Fig. 5, 124) and the first database (Fig. 5, 126); a second processor (Fig. 5, 120) for

executing the server software (Fig. 5, 124); and a second communication module (Fig. 5, 134) for transmitting the configuration data to the monitoring appliances (Fig. 1, 16, 18). Applicant's specification, page 4, lines 6-15 and pages 5-7, lines 20-9.

Embodiments according to independent claim 42 describe a system for monitoring office equipment (Fig. 1, 12, 14). The system comprises one or more monitoring appliances (Fig. 1, 16, 18) adapted to monitor the office equipment (Fig. 1, 12, 14). Each monitoring appliance (Fig. 1, 16, 18) includes a data port for receiving data from the equipment (Fig. 1, 12, 14); a first communication module for receiving one or more software components (Fig. 5, 112). Each software component (Fig. 5, 112) is for processing the equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable the software components (Fig. 5, 112). The system further comprises first memory (Fig. 5, 110) for storing the software components (Fig. 5, 112) and a first processor (Fig. 5, 108) for executing the software components (Fig. 5, 112) in accordance with the configuration data (Fig. 5, 116).

The system further comprises a central server (Fig. 5, 104). The central server (Fig. 5, 104) includes server software (Fig. 5, 124) for controlling the communication of data to and from the monitoring appliances (Fig. 1, 16, 18); a first database (Fig. 5, 126) of configuration data for the monitoring appliances (Fig. 1, 16, 18); a second database (Fig. 5, 130) of software components (Fig. 5, 132) for the monitoring appliances (Fig. 1, 16, 18); second memory (Fig. 5, 122) for storing the server software (Fig. 5, 124) and the first and second databases (Fig. 5, 126, 130); a second processor (Fig. 5, 120) for executing the server

software (Fig. 5, 124); and a second communication module (Fig. 5, 134) for transmitting the configuration data and the software components (Fig. 5, 132) to the monitoring appliances (Fig. 1, 16, 18). Applicant's specification, page 4, lines 6-15 and pages 5-7, lines 20-9.

Embodiments according to independent claim 43 describe a method for remotely configuring a monitoring appliance (Fig. 1, 16, 18) for monitoring equipment (Fig. 1, 12, 14). The method includes storing a plurality of configurable software components (Fig. 5, 112) in the monitoring appliance (Fig. 1, 16, 18). Each software component is for performing a function of the monitoring appliance (Fig. 1, 16, 18). Applicant's specification, page 9, lines 3-8. The method further includes storing, in a central server (Fig. 5, 104), configuration data (Fig. 5, 128) that determines which software components (Fig. 5, 112) are enabled or disabled. Applicant's specification, pages 6-7, lines 27-1. Such a method further includes downloading the configuration data (Fig. 5, 128) from the central server (Fig. 5, 104) to the monitoring appliance (Fig. 1, 16, 18) and restarting the monitoring appliance (Fig. 1, 16, 18) with the software components enabled for or disabled from execution in accordance with the configuration data. Applicant's specification, pages 7-8, lines 10-15.

VI. Grounds of Rejection to be Reviewed on Appeal

The following grounds of rejections are to be reviewed on appeal:

Claims 1-7, 9-12, 14-28, 30-32, and 34-46 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Narasimhan* (U.S. Patent 6,446,192) in view of *Perholtz* (U.S. Patent No. 5,732,212).

VII. Arguments

The Appellant respectfully submits that Applicant's claims 1-7, 9-12, 14-28, 30-32, and 34-46 are patentable under 35 U.S.C. §103. The Appellant respectfully requests that the Board of Patent Appeals overturn the final rejection of those claims at least for the reasons discussed below.

Claim Rejections - 35 U.S.C. §103(a)

Claims 1-7, 9-12, 14-28, 30-32, and 34-46 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Narasimhan* (U.S. Patent 6,446,192) in view of *Perholtz* (U.S. Patent No. 5,732,212).

It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

1. The *Narasimhan* Disclosure

Narasimhan appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

2. The *Perholtz* Disclosure

Perholtz appears to teach at most that a remote computer or PC 2 monitors a host PC 10 and in so doing, the remote PC 2 may instruct the host PC 10 to restart or re-boot. See col. 12, lines 16-32.

3. Applicant's Claim 1

Applicant's independent claim 1 provides as follows:

An appliance for monitoring equipment comprising:
first means for receiving data from said equipment;
second means for receiving a set of configuration data,
wherein said second means includes a communication module; and
***third means for processing said equipment data in
accordance with a plurality of optional services, wherein said
configuration data is adapted to enable or disable said
optional services, wherein said appliance is adapted to restart
upon receiving a restart signal from said communication
module.***

(Emphasis added).

Applicant respectfully submits that independent claim 1 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or

suggest at least "third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services, wherein said appliance is adapted to restart upon receiving a restart signal from said communication module," as recited and emphasized above in claim 1.

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

With regard to the final Office Action mailed April 24, 2006, it alleges that the portion of the *Narasimhan* disclosure cited at col. 5, lines 49-62 discloses "third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services, wherein said appliance is adapted to restart upon receiving a restart signal from said communication module." However, this portion of the disclosure is describing a client 30 and not the single integrated chip 36. Regardless, the client 30 does not appear to process equipment data based upon configuration data that is adapted to enable or disable optional services in the manner claimed. At most, *Narasimhan* teaches that the chip 36 may be set up for different network interface options, but it clearly fails to teach or suggest that processing of equipment data is able to be configured in accordance with configuration data that is adapted to enable or disable optional service, as

described in the claim. See cols. 11-12, lines 49-39. As emphasized in the Advisory Action, "during patent prosecution, the pending claims must be 'given the broadest reasonable interpretation consistent with the specification.'" Page 2. However, Applicant respectfully submits that the interpretation used in making the rejection is not reasonable in view of Applicant's specification.

Further, the final Office Action acknowledges that *Narasimhan* fails to teach or suggest the feature "wherein said appliance is adapted to restart upon receiving a restart signal from said communication module," as recited in the claim. However, the final Office Action alleges that *Perholtz* discloses the feature. Office Action, page 10.

With regard to *Perholtz*, it appears to teach at most that a remote computer or PC 2 monitors a host PC 10 and in so doing, the remote PC 2 may instruct the host PC 10 to restart or re-boot. See col. 12, lines 16-32. This is not similar to the present subject matter, since *Perholtz* fails to teach or suggest that an appliance for monitoring equipment is adapted to restart upon receiving a restart signal. Rather, *Perholtz* is more akin to the situation of an equipment device restarting, and not the appliance monitoring the equipment device. Therefore, *Perholtz* is legally inadequate to disclose the alleged feature.

For at least these reasons, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. Since the features of claim 1 are not disclosed by the cited art in the manner claimed, the rejection of claim 1 should be withdrawn.

Additionally, with regard to the final Office Action of April 24, 2006, the Examiner's reply to the Applicant's rebuttal arguments appear to be incomplete.

In the final Office Action, it states that the Applicant's previous arguments were not considered to be persuasive and then begins to summarize the Applicant's previous arguments and then summation stops without completion of an explanation or rebuttal. A copy of the relevant passage from the final Office Action is provided below:

In this instance applicant argues that the prior art of record does not teach third means for processing said equipment data in accordance with a plurality of optional services (co1.5, lines 57-58), wherein said configuration data is adapted to enable or disable said optional services, (col. 5, Lines 49-62), wherein said appliance is adapted to restart upon receiving a restart signal from said communication module. (Col.1, lines 20-24), a communications module for receiving one or more software components each software component for processing said equipment data in accordance with an optional service and for receiving a set of configuration data adapted to or disable said software components 1, lines 62-63)

Final Office Action, pages 11-12.

The MPEP states that "[b]efore a final rejection is in order a clear issue should be developed between the examiner and applicant." "The examiner should never lose sight of the fact that in every case the applicant is entitled to a full and fair hearing, and that a clear issue between applicant and the examiner should be developed, if possible, before appeal." Further, the final rejection "should include a rebuttal of any arguments raised in the applicant's reply." See MPEP § 706.07 and § 707.07(f) ("Where the applicant traverses any rejection, the examiner should, if her or she repeats the rejection, take note of the applicant's argument and answer the substance of it.").

Accordingly, Applicant was unable to clearly discern from the final Office Action what issues the Examiner would like to express concerning Applicants'

earlier arguments. Since the final Office Action did not appear to be in compliance with MPEP § 706.07 or § 707.07(f), Applicant respectfully requested withdrawal of the finality of the Office Action and that any subsequent Office Action, if necessary, be non-final. This request was made in the Response filed June 23, 2006. However, the Examiner denied the request by the action of making the next office action an advisory action. The advisory action did not contain a rebuttal or explanation as to why Applicant's request was denied either. Accordingly, Applicant respectfully asserts that the issuance of the outstanding Advisory Action and failure to respond to the substance of Applicant's arguments are improper and not in compliance with applicable patent laws and rules.

4. Applicant's Claims 2-7, 9-12, and 14-20

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-7, 9-12, and 14-20 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-7, 9-12, and 14-20 contain all the features of independent claim 1. For at least this reason, the rejections of claims 2-7, 9-12, and 14-20 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 2-7, 9-12, and 14-20, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

With particular regard to claim 10, Applicant submits that because of the uniqueness of the claim limitations, claim 10 clearly distinguishes the claimed

subject matter over the cited references. For example, *Narasimhan* teaches that a client machine is provided software updates from the single integrated circuit chip. It fails to teach or suggested that the chip itself receives upgraded software components. It is therefore respectfully requested that serious reconsideration be given to allowing claim 10.

With particular regard to claim 11 (which depends from claim 10), Applicant submits that because of the uniqueness of the claim limitations, claim 11 clearly distinguishes the claimed subject matter over the cited references. For example, *Narasimhan* teaches that a client machine is provided software updates from the single integrated circuit chip. It fails to teach or suggested that configuration data of the single integrated circuit chip is adapted to enable or disable a new or upgraded software component that is provided to a client machine. It is therefore respectfully requested that serious reconsideration be given to allowing claim 11.

With particular regard to claim 19, Applicant submits that because of the uniqueness of the claim limitations, claim 19 clearly distinguishes the claimed subject matter over the cited references. For example, *Narasimhan* teaches the single integrated circuit chip is physically attached to a device 22. It fails to teach or suggested that the chip is a stand-alone device separate from said equipment, as described in the claim. While the final Office Action suggests that a network server 20 discloses the claimed limitation, the network server 20 does not satisfy all of the limitations for an appliance as stated in claim 1 from which claim 19 depends. It is therefore respectfully requested that serious reconsideration be given to allowing claim 19.

5. Applicant's Claim 21

As provided in independent claim 21, Applicant claims:

An appliance for monitoring equipment comprising:
a data port for receiving data from said equipment;
a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components;
a memory for storing said software components; and
a processor for executing said software components in accordance with said configuration data.

(Emphasis added).

Applicant respectfully submits that independent claim 21 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or suggest at least "a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components" and "a processor for executing said software components in accordance with said configuration data," as recited and emphasized above in claim 21.

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

With regard to the final Office Action mailed April 24, 2006, it alleges that the portion of the *Narasimhan* disclosure cited at col. 1, lines 62-63 discloses "a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components." However, this portion of the disclosure is describing a web server machine 20 of the background art. Moreover, the portion of the disclosure (e.g., FIG. 12) that allegedly discloses "a processor for executing said software components in accordance with said configuration data" is that of a single interface chip 36. Therefore, the final Office Action fails to state where the disclosure teaches an appliance for monitoring equipment that includes both these claimed elements.

Also, it appears that *Narasimhan* teaches at most that a single network interface chip 36 may be connected to a device and set up for different network interface options, but it clearly fails to teach or suggest that processing of equipment data is able to be configured in accordance with configuration data that is adapted to enable or disable optional service, as described in the claim. See cols. 11-12, lines 49-39.

Further, the cited art of *Perholtz* fails to cure the deficiencies of the *Narasimhan* reference in suggesting or teaching all of the claimed features. Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. For the aforementioned reasons, the rejection of claim 21 should be withdrawn.

6. Applicant's Claim 22

As provided in independent claim 22, Applicant claims:

An appliance for monitoring one or more office equipment devices comprising:

a data port for receiving data from an equipment device;

software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an optional service;

a communication module for receiving a set of configuration data adapted to enable or disable said software components, wherein said software components comprise at least software with instructions for monitoring a different appliance;

a memory for storing said software; and

a processor for executing said software in accordance with said configuration data.

(Emphasis added).

Applicant respectfully submits that independent claim 22 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or suggest at least "software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an optional service," "a communication module for receiving a set of configuration data adapted to enable or disable said software components, wherein said software components comprise at least software with instructions for monitoring a different appliance," and "a processor for executing said software in accordance with said configuration data," as recited and emphasized above in claim 22.

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to

the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

The final Office Action mailed April 24, 2006 alleges that the portion of the *Narasimhan* disclosure cited at col. 1, lines 62-63 discloses "software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an optional service." However, this portion of the disclosure is describing a web server machine 20 of the background art. The portion of the disclosure that allegedly discloses "a communication module for receiving a set of configuration data adapted to enable or disable said software components, wherein said software components comprise at least software with instructions for monitoring a different appliance" and "a processor for executing said software components in accordance with said configuration data" is that of a single interface chip 36, as shown in FIG. 12. Therefore, the final Office Action fails to state where the disclosure teaches an appliance for monitoring equipment that includes all of these claimed elements.

Further, it appears that *Narasimhan* teaches at most that a single network interface chip 36 may be connected to a device and set up for different network interface options, but it clearly fails to teach or suggest that processing of equipment data is able to be configured in accordance with configuration data that is adapted to enable or disable optional service, as described in the claim. See cols. 11-12, lines 49-39.

Lastly, the cited art of *Perholtz* fails to cure the deficiencies of the *Narasimhan* reference in suggesting or teaching all of the claimed features. Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. For the aforementioned reasons, the rejection of claim 22 should be withdrawn.

7. Applicant's Claim 23

As provided in independent claim 23, Applicant claims:

A system for monitoring equipment comprising:
one or more monitoring appliances adapted to monitor said equipment, each monitoring appliance including:
first means for receiving data from said equipment;
second means for receiving a set of configuration data; and
third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services, wherein said third means includes:
software for processing said equipment data, said software including one or more software components, each software component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and storing said configuration data;
a memory for storing said software; and
a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components; and
fourth means for transmitting said configuration data to said monitoring appliances.

(Emphasis added).

Applicant respectfully submits that independent claim 23 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or suggest at least "third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to

enable or disable said optional services, wherein said third means includes: software for processing said equipment data, said software including one or more software components, each software component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and storing said configuration data" and "a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components," as recited and emphasized above in claim 23.

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

The final Office Action of April 24, 2006 alleges that the portion of the *Narasimhan* disclosure cited at col. 5, lines 49-62 discloses "third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services." However, this portion of the disclosure is describing a client 30 and not the single integrated chip 36. Regardless, the client 30 does not appear to process equipment data based upon configuration data that is adapted to enable or disable optional services. At most, *Narasimhan* teaches that the chip 36 may be set up for different network interface options, but it clearly fails to teach or suggest that processing of equipment data is able to be configured in

accordance with configuration data that is adapted to enable or disable optional service, as described in the claim. See cols. 11-12, lines 49-39.

The final Office Action further alleges that the portion of the *Narasimhan* disclosure cited at col. 3, lines 48-52 discloses "wherein said third means includes: software for processing said equipment data, said software including one or more software components, each software component for performing an optional service, wherein said software is adapted to restart said monitoring appliance after receiving and storing said configuration data." This portion of the disclosure is also describing the client 30.

The final Office Action then alleges that the portion of the *Narasimhan* disclosure cited at col. 5, lines 21-22 discloses "a processor for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components." This portion of the disclosure, however, is describing devices 34 and not the client 30 or single network interface chip 36. Therefore, the final Office Action fails to state where the disclosure teaches an appliance for monitoring equipment that includes all of these claimed elements.

Further, the final Office Action acknowledges that *Narasimhan* fails to teach or suggest the feature "wherein said appliance is adapted to restart upon receiving a restart signal from said communication module," as recited in the claim. However, the final Office Action alleges that *Perholtz* discloses the feature. Office Action, page 10.

Therefore, with regard to *Perholtz*, it appears to teach at most that a remote computer or PC 2 monitors a host PC 10 and in so doing, the remote PC 2 may instruct the host PC 10 to restart or re-boot. See col. 12, lines 16-32.

This is not similar to the present subject matter, since *Perholtz* fails to teach or suggest that an appliance for monitoring equipment is adapted to restart upon receiving a restart signal. Rather, *Perholtz* is more akin to the situation of an equipment device restarting, and not the appliance monitoring the equipment device. Therefore, *Perholtz* is legally inadequate to disclose the alleged feature.

For at least these reasons, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. Therefore, the rejection of claim 23 should be withdrawn.

8. Applicant's Claims 24-28, 30-32, and 34-36

Because independent claim 23 is allowable over the cited art of record, dependent claims 24-28, 30-32, and 34-36 (which depend from independent claim 23) are allowable as a matter of law for at least the reason that dependent claims 24-28, 30-32, and 34-36 contain all features of independent claim 23. For at least this reason, the rejections of claims 24-28, 30-32, and 34-36 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 24-28, 30-32, and 34-36, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

Applicant further submits that the claims in their narrowest sense are allowable over the cited art. With particular regard to claim 32 (which depends from claims 31, 30, 27, 25, 24, and 23), Applicant submits that because of the uniqueness of the claim limitations, claim 32 clearly distinguishes the claimed

subject matter over the cited references. It is therefore respectfully requested that serious reconsideration be given to allowing claim 32.

9. Applicant's Claim 37

As provided in independent claim 37, Applicant claims:

A system for monitoring office equipment comprising:
one or more monitoring appliances adapted to monitor said office equipment, ***each monitoring appliance including:***
a data port for receiving data from said equipment;
appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance;
a first communication module for receiving a set of configuration data adapted to enable or disable said software components;
a first memory for storing said appliance software; and
a first processor for executing said software in accordance with said configuration data; and
a central server including:
server software for controlling the communication of data to and from said monitoring appliances;
a first database of configuration data for said monitoring appliances;
a second memory for storing said server software and said first database;
a second processor for executing said server software; and
a second communication module for transmitting said configuration.

(Emphasis added).

Applicant respectfully submits that independent claim 37 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or suggest at least "each monitoring appliance including . . . appliance software

adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance," "a first communication module for receiving a set of configuration data adapted to enable or disable said software components," and "a first processor for executing said software in accordance with said configuration data," as recited and emphasized above in claim 37

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

The final Office Action of April 24, 2006 alleges that the portion of the *Narasimhan* disclosure cited at col. 1, lines 62-64 discloses "each monitoring appliance including . . . appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance." However, this portion of the disclosure is describing a web server machine 20 of the background art.

The portion of the disclosure that allegedly discloses "each monitoring appliance including . . . a first communication module for receiving a set of

configuration data adapted to enable or disable said software components" is allegedly disclosed by the single network interface chip 36 in FIG. 12. The final Office Action fails to cite where "each monitoring appliance including . . . a first processor for executing said software in accordance with said configuration data" is disclosed. Therefore, the final Office Action fails to state where the disclosure teaches an appliance for monitoring equipment that includes all of these claimed elements, since the final Office Action cites a plurality of devices to disclose the claimed features.

Further, in citing the portion of the *Narasimhan* disclosure that teaches "a central server including . . . a second processor for executing said server software," the final Office Action cites the single network interface chip 36 that was used as support in disclosing a monitoring appliance, as shown in FIG. 12. See Final Office Action, page 7.

It appears, at most, *Narasimhan* teaches that the chip 36 may be set up for different network interface options, but it clearly fails to teach or suggest that processing of equipment data is able to be configured in accordance with configuration data that is adapted to enable or disable optional service, as described in the claim. See cols. 11-12, lines 49-39.

Further, the cited art of *Perholtz* fails to cure the deficiencies of the *Narasimhan* reference in suggesting or teaching all of the claimed features. Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. Therefore, the rejection of claim 37 should be withdrawn.

10. Applicant's Claims 38-41

Because independent claim 37 is allowable over the cited art of record, dependent claims 38-41 (which depend from independent claim 37) are allowable as a matter of law for at least the reason that dependent claims 38-41 contain all the elements and features of independent claim 37. For at least this reason, the rejections of claims 38-41 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 38-41, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

Applicants further submits that the claims in their narrowest sense are allowable over the cited art. With particular regard to claim 41 (which depends from claims 40, 39, and 37), Applicant submits that because of the uniqueness of the claim limitations, claim 41 clearly distinguishes the claimed subject matter over the cited references. It is therefore respectfully requested that serious reconsideration be given to allowing claim 41.

11. Applicant's Claim 42

As provided in independent claim 42, Applicant claims:

A system for monitoring office equipment comprising:
one or more monitoring appliances adapted to monitor said office equipment, ***each monitoring appliance including:***
a data port for receiving data from said equipment;
a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components;
a first memory for storing said software components; and
a first processor for executing said software components in accordance with said configuration data; and
a central server including:
server software for controlling the communication of data to and from
said monitoring appliances;
a first database of configuration data for said monitoring appliances;
a second database of software components for said monitoring appliances;
a second memory for storing said server software and said first and second databases;
a second processor for executing said server software; and
a second communication module for transmitting said configuration data and said software components to said monitoring appliances.

(Emphasis added).

Applicant respectfully submits that independent claim 42 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or suggest at least "each monitoring appliance including . . . a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components" and "a first processor for executing said software

components in accordance with said configuration data," as recited and emphasized above in claim 42

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

The final Office Action of April 24, 2006 alleges that FIG. 12 of the *Narasimhan* disclosure discloses "each monitoring appliance including . . . a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components" and "a first processor for executing said software components in accordance with said configuration data." This portion of the disclosure is describing a single network interface chip 36.

At most, *Narasimhan* teaches that the chip 36 may be set up for different network interface options, but it clearly fails to teach or suggest that processing of equipment data is able to be configured in accordance with configuration data that is adapted to enable or disable optional service, as described in the claim. See cols. 11-12, lines 49-39.

Further, in citing the portion of the *Narasimhan* disclosure that teaches "a central server," the final Office Action cites the single network interface chip 36 that was used as support in disclosing a monitoring appliance referenced in FIG.

12. See Final Office Action, page 7. Therefore, the final Office Action fails to cite where *Narasimhan* discloses all of the distinct system components in the claim.

Further, the cited art of *Perholtz* fails to cure the deficiencies of the *Narasimhan* reference in suggesting or teaching all of the claimed features. Therefore, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. Therefore, the rejection of claim 42 should be withdrawn.

12. Applicant's Claim 43

As provided in independent claim 43, Applicant claims:

A method for remotely configuring a monitoring appliance for monitoring equipment including the steps of:

storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance;

storing, in a central server, configuration data that determines which software components are enabled or disabled;

downloading said configuration data from said central server to said monitoring appliance; and

restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data.

(Emphasis added).

Applicant respectfully submits that independent claim 43 is allowable for at least the reason that *Narasimhan* in view of *Perholtz* does not disclose, teach, or suggest at least "storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance," "storing, in a central server, configuration data that

determines which software components are enabled or disabled," "downloading said configuration data from said central server to said monitoring appliance," and "restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data," as recited and emphasized above in claim 43

For example, *Narasimhan* appears to teach at most a single integrated chip that is connected to a device "thereby allowing the device to be easily connected to the internet for remote control and monitoring." Col. 6, lines 21-24. The chip 36 "implements all networking services required to interface the device with a high performance computer network 32 for remote control and monitoring by one or more clients 30." Col. 6, lines 30-35.

The final Office Action of April 24, 2006 cites the single integrated chip 32 as disclosing the features of the claim. As indicated above, however, the chip 32 implements network services for interfacing a device with a network and does not seem to teach or suggest aspects of having configurable software components that perform functions of a monitoring appliance, where the configuration data determines which software components are enabled or disabled.

Further, the final Office Action acknowledges that *Narasimhan* fails to teach or suggest the feature of "restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data," as recited in the claim. However, the final Office Action alleges that *Perholtz* discloses the feature. Final Office Action, page 10.

With regard to *Perholtz*, it appears to teach at most that a remote computer or PC 2 monitors a host PC 10 and in so doing, the remote PC 2 may

instruct the host PC 10 to restart or re-boot. See col. 12, lines 16-32. This is not similar to the present subject matter, since *Perholtz* fails to teach or suggest that an appliance for monitoring equipment is adapted to restart upon receiving a restart signal. Rather, *Perholtz* is more akin to the situation of an equipment device restarting, and not the appliance monitoring the equipment device. Therefore, *Perholtz* is legally inadequate to disclose the alleged feature.

Additionally, the final Office Action states that the aspect of the single chip storing configuration codes discloses the storing of configuration data in a central server. Final Office Action , page 9. The Final Office Action further states that the following passage, "software on the client may also be a custom application program installed on the client, or downloaded from the network interface chip," discloses the downloading of configuration data from the central server to the monitoring appliance. Final Office Action, page 9 referencing Col. 8, lines 15-18 of *Narasimhan*. Applicant respectfully disagrees since the software on the client is described as custom application program and is not shown to be configuration data, as described in the claim.

For at least these reasons, a *prima facie* case establishing an obviousness rejection by the proposed combination of *Narasimhan* in view of *Perholtz* has not been made. Therefore, the rejection of claim 43 should be withdrawn.

13. Applicant's Claim 44-46

Because independent claim 43 is allowable over the cited art of record, dependent claims 44-46 (which depend from independent claim 43) are allowable as a matter of law for at least the reason that dependent claims 44-46 contain all

the features of independent claim 43. For at least this reason, the rejections of claims 44-46 should be withdrawn.

Additionally and notwithstanding the foregoing reasons for the allowability of claims 44-46, these dependent claims recite further features and/or combinations of features (as is apparent by examination of the claims themselves) that are patentably distinct from the cited art of record. Hence, there are other reasons why these dependent claims are allowable.

For example, with regard to claim 44, the final Office Action references the passage in *Narasimhan* that states "Custom client software installed on the client allows remote device monitoring and control without requiring a Web browser or JVM at the client" discloses "wherein a user can change which software components are enabled or disabled by modifying the configuration data stored in the central server" in claim 44. See Final Office Action, page 10 referencing col. 8, lines 50-54 of *Narasimhan*. However, in expressing the rejection for base claim 43, the final Office Action compares functionality of the single integrated chip to the central server where it seems that the rejection for claim 44 is comparing the functionality of the client in *Narasimhan* to the central server described in the claim.

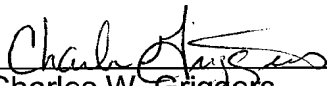
Likewise, in expressing the rejection for claim 45, the final Office Action references a passage from *Narasimhan* that seems to compare functionality of the single integrated chip with the central server described in the claim.

Therefore, the cited art does not appear to disclosed claimed features that are being recited in the claims.

VIII. Conclusion

In summary, it is Applicant's position that Applicant's claims are patentable over the applied cited art references and that the rejection of these claims should be withdrawn. Appellant therefore respectfully requests that the Board of Appeals overturn the Examiner's rejection and allow Applicant's pending claims.

Respectfully submitted,

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Claims Appendix under 37 C.F.R. § 41.37(c)(1)(viii)

The following are the claims that are involved in this Appeal.

1. An appliance for monitoring equipment comprising:
first means for receiving data from said equipment;
second means for receiving a set of configuration data, wherein said second means includes a communication module; and
third means for processing said equipment data in accordance with a plurality of optional services, wherein said configuration data is adapted to enable or disable said optional services, wherein said appliance is adapted to restart upon receiving a restart signal from said communication module.
2. The invention of claim 1 wherein said third means includes:
software for processing said equipment data, said software including one or more software components, each software component for performing an optional service;
fourth means for storing said software; and
fifth means for executing said software in accordance with said configuration data, which is adapted to enable or disable said software components.
3. The invention of claim 2 wherein said fourth means is a memory.

4. The invention of claim 3 wherein said memory is also adapted to store said configuration data.

5. The invention of claim 2 wherein said fifth means is a processor.

6. The invention of claim 1 wherein said first means includes one or more data ports.

7. The invention of claim 6 wherein said data ports are also adapted to transmit data to said equipment.

8. Canceled

9. The invention of claim 1 wherein said appliance further includes means for transmitting data to a remote system.

10. The invention of claim 2 wherein said appliance further includes means for receiving new or upgraded software components.

11. The invention of claim 10 wherein said configuration data is adapted to enable or disable a new or upgraded software component.

12. The invention of claim 4 wherein said software is adapted to restart said appliance after receiving and storing said configuration data.

13. Canceled

14. The invention of claim 1 wherein said appliance is adapted to receive said configuration data from said communication module during a restart process.

15. The invention of claim 1 wherein said appliance is adapted to receive and store new or upgraded software components from said communication module during a restart process.

16. The invention of claim 1 wherein said communication module is coupled to an internet connection.

17. The invention of claim 1 wherein said communication module is coupled to a dial-up connection.

18. The invention of claim 1 wherein said communication module is coupled to a wireless connection.

19. The invention of claim 1 wherein said appliance is a stand-alone device separate from said equipment.

20. The invention of claim 1 wherein said equipment includes one or more printers.

21. An appliance for monitoring equipment comprising:
a data port for receiving data from said equipment;
a communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components;
a memory for storing said software components; and
a processor for executing said software components in accordance with said configuration data.

22. An appliance for monitoring one or more office equipment devices comprising:
a data port for receiving data from an equipment device;
software adapted primarily for monitoring said equipment devices, said software including one or more software components, each software component for processing equipment data in accordance with an optional service;
a communication module for receiving a set of configuration data adapted to enable or disable said software components, wherein said software components comprise at least software with instructions for monitoring a different appliance;
a memory for storing said software; and
a processor for executing said software in accordance with said configuration data.

23. A system for monitoring equipment comprising:
one or more monitoring appliances adapted to monitor said equipment,
each monitoring appliance including:
first means for receiving data from said equipment;
second means for receiving a set of configuration data; and
third means for processing said equipment data in accordance
with a plurality of optional services, wherein said configuration data is adapted
to enable or disable said optional services, wherein said third means includes:
software for processing said equipment data, said
software including one or more software components, each software
component for performing an optional service, wherein said software is
adapted to restart said monitoring appliance after receiving and storing said
configuration data;
a memory for storing said software; and
a processor for executing said software in accordance
with said configuration data, which is adapted to enable or disable said
software components; and
fourth means for transmitting said configuration data to said monitoring
appliances.

24. The invention of claim 23 wherein said fourth means includes a
central server.

25. The invention of claim 24 wherein said central server includes a first database of configuration data for the monitoring appliances.

26. The invention of claim 25 wherein a user can change which services in a monitoring appliance are enabled or disabled by modifying the configuration data for that monitoring appliance stored in said first database.

27. The invention of claim 25 wherein said central server includes an application for modifying the configuration data stored in said first database.

28. The invention of claim 27 wherein said application is a web application.

29. Canceled

30. The invention of claim 27 wherein said central server includes a second database of new or upgraded software components.

31. The invention of claim 30 wherein said monitoring appliances further include means for receiving new or upgraded software components from said central server.

32. The invention of claim 31 wherein said configuration data is adapted to enable or disable a new or upgraded software component.

33. Canceled

34. The invention of claim 23 wherein said software is adapted to restart said monitoring appliance upon receiving a restart signal from said central server.

35. The invention of claim 24 wherein said software is adapted to receive and store said configuration data from said central server during a restart process.

36. The invention of claim 24 wherein said software is adapted to receive and store new or upgraded software components from said central server during a restart process.

37. A system for monitoring office equipment comprising:

one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:

- a data port for receiving data from said equipment;
- appliance software adapted primarily for monitoring said equipment, said software including one or more software components, each software component for processing said equipment data in accordance with an optional service, wherein said optional service includes functionality for monitoring a different appliance;
- a first communication module for receiving a set of configuration data adapted to enable or disable said software components;
- a first memory for storing said appliance software; and
- a first processor for executing said software in accordance with said configuration data; and

a central server including:

- server software for controlling the communication of data to and from said monitoring appliances;
- a first database of configuration data for said monitoring appliances;
- a second memory for storing said server software and said first database;
- a second processor for executing said server software; and
- a second communication module for transmitting said configuration data to said monitoring appliances.

38. The invention of claim 37 wherein said central server further includes an application for modifying the configuration data stored in said first database.

39. The invention of claim 37 wherein said central server further includes a second database of new or upgraded software components.

40. The invention of claim 39 wherein said first and second communication means are also adapted to download new or upgraded software components from said central server to said monitoring appliances.

41. The invention of claim 40 wherein said configuration data is adapted to enable or disable a new or upgraded software component.

42. A system for monitoring office equipment comprising:

one or more monitoring appliances adapted to monitor said office equipment, each monitoring appliance including:

- a data port for receiving data from said equipment;
- a first communication module for receiving one or more software components, each software component for processing said equipment data in accordance with an optional service, and for receiving a set of configuration data adapted to enable or disable said software components;
- a first memory for storing said software components; and
- a first processor for executing said software components in accordance with said configuration data; and

a central server including:

- server software for controlling the communication of data to and from said monitoring appliances;
- a first database of configuration data for said monitoring appliances;
- a second database of software components for said monitoring appliances;
- a second memory for storing said server software and said first and second databases;
- a second processor for executing said server software; and
- a second communication module for transmitting said configuration data and said software components to said monitoring appliances.

43. A method for remotely configuring a monitoring appliance for monitoring equipment including the steps of:

storing a plurality of configurable software components in said monitoring appliance, each software component for performing a function of said monitoring appliance;

storing, in a central server, configuration data that determines which software components are enabled or disabled;

downloading said configuration data from said central server to said monitoring appliance; and

restarting said monitoring appliance with said software components enabled for or disabled from execution in accordance with said configuration data.

44. The invention of claim 43 wherein a user can change which software components are enabled or disabled by modifying the configuration data stored in the central server.

45. The invention of claim 43 wherein said method further includes the steps of:

storing new or upgraded software components in said central server;

downloading said new or upgraded software components from said central server to said monitoring appliance; and

installing said new or upgraded software components in said appliance.

46. The invention of claim 45 wherein said configuration data is adapted to enable or disable a new or upgraded software component.

Evidence Appendix under 37 C.F.R. § 41.37(c)(1)(ix)

There is no extrinsic evidence to be considered in this Appeal.
Therefore, no evidence is presented in this Appendix.

Related Proceedings Appendix under 37 C.F.R. § 41.37(c)(1)(x)

There are no related proceedings to be considered in this Appeal.
Therefore, no such proceedings are identified in this Appendix.